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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

APPLE, INC.,

CASE NO. 5:11-cv-00210 EJD

Plaintiff(s),

**MODIFIED ORDER RE: STAY PENDING  
REEXAMINATION**

v.

S3 GRAPHICS CO., LTD., et. al.,

Defendant(s).

On September 1, 2011, the court issued a stipulated order staying this litigation in light of a pending reexamination before the United States Patent and Trademark Office. See Docket Item No. 47. As this case has now been abated for nearly four months without further action, the court finds good cause to issue a modified order concerning the stay in this case which shall supersede the previous order. Accordingly, the court orders as follows:

1. This action is STAYED in its entirety pending final exhaustion of the pending reexamination proceedings, including any appeals. The Clerk shall administratively close this file.
2. The parties shall submit a joint status report apprising the court of the status of the reexamination proceedings on January 15, 2012, and shall submit a similar report every sixth months thereafter.
3. The parties shall provide notice to the court within 30 days of the final exhaustion of

all pending reexamination proceedings, including appeals. In their notice, the parties shall request that this matter be reopened, and that a case management conference be scheduled.

4. This Order shall not prevent either party from seeking to reopen this case and lift or extend the stay should the circumstances warrant.

**IT IS SO ORDERED.**

Dated: December 14, 2011

  
EDWARD J. DAVILA  
United States District Judge